IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

OP.No. 14815 of 1997(L)

PETITIONER:

K.SREEKUMAR, S/O.LATE G.KRISHNA PILLAI, BHAGAVATHIVADAKKEL HOUSE, EZHAMKULAM VILLAGE, PUTHUMALA P.O, ADOOR TALUK, PATHANAMTHITTA DIST.

BY ADV. SRI.V.PHILIP MATHEW
SRI.BIJU BALAKRISHNAN

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETAR TO GOVT., KERALA GOVT. SECRETATIAT.**

2. **THE SECRETARY TO GOVERNMENT, HOME AND GENERAL ADMINISTRATION, KERALA GOVT. SECRETARIAT, THIRUVANANTHAPURAM.**

3. **THE SECRETARY, TRAVANCORE DEVASWOM BOARD, THIRUVANANTHAPURAM.**

BY ADV. SRI.P.G.PARAMESWARA PANICKER
SRI.P.GOPAL
SRI.U.K.RAMAKRISHNAN, SC, TDB

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP NO. 14815/1997

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: PHOTOCOPY OF THE NEWS ITEM IN JENMABHOOMI DATED 25.7.97.

EXT.P2: PHOTOCOPY OF THE NEWS ITEM IN MATHRUBHOOMI DATED 28.7.97.

EXT.P3: PHOTOCOPY OF THE NEWS ITEM IN MATHRUBHOOMI DT.29.10.96.

EXT.P4: PHOTOCOPY OF THE REPRESENTATION DT.11.8.97 TO THE 1ST RESPONDENT.

EXT.P5: COPY OF THE PRESS REPORT IN MATHRUBHUMI DATED 15.6.98.

//TRUE COPY//

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.
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O.P. NO. 14815 OF 1997
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Dated this the 26th day of June, 2007

J U D G M E N T

Radhakrishnan, J.

This OP was preferred by a devotee, who is an advocate practicing at Pathanamthitta seeking a writ of mandamus directing the respondents to take effective and adequate steps to protect and take care of the cows and bulls offered to Sabarimala Sree Ayyappa temple and also for other consequential reliefs.

2. In the counter affidavit filed by the 3rd respondent, it is stated that if the animals are offered as vazhipadu, they will be entered in the register and receipts and such animals will be auctioned in accordance with the rules contained in Devaswom Manual Vol.I. Further, it is stated that for the last several years no animals are being received as 'Nadavaravu' and there was no occasion to conduct any auction. In para 5 of the counter affidavit, it is stated that the straying of cattle and other animals have come to the notice of the Board and the matter was discussed at the conference of Departmental Officers convened

on 5.9.97 for purpose of making arrangements for the Sabarimala festival of the year 1173 ME. It has been decided in the said conference that owners of cattle, goats and other animals that stray in the premises of Pamba and Sabarimala temples should be required to take them back and if they are not so removed from the temple premises, the Board officers would confiscate the animals and would be sold in public auction. In view of the stand taken by the Board, no further orders are necessary.

OP is disposed of as above.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp